IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3656 OF 2005

Manish Villa Co-operative Housing Society Limited.. ... ... Petitioner.

Versus

Ms. Daksha M. Shah & Anr..... .... Respondents.

Mr. M. D. Angal for the Petitioner.

None for the Respondents.

CORAM : S. A. BOBDE, J.

DATED : 13TH JUNE, 2005.

P.C.:

Mr. Angal, learned Counsel appearing for the Petitioner, seriously challenges the observation of the Divisional Joint Registrar, Co-operative Societies in para 5 of the impugned order that "It is admitted fact that the suit flat No. B/207 belongs to late Shri Purshottam Nathalal Patel and late Shri Nathalal Dhanji Patel". According to the learned Counsel, there is no admission to this effect and yet the Court has acted on this incorrect statement. In the circumstances, it would be appropriate and in accordance with law for the Petitioner to approach the

Divisional Joint Registrar, Co-operative Societies, who has made the aforesaid observation.

2. Allowed to withdraw on the application of the learned Counsel for the Petitioner with liberty to approach the Divisional Joint Registrar in accordance with law as may be advised.

3. Writ Petition is, accordingly, disposed of.

Sd/-

(S. A. BOBDE, J.)